BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of:

Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment -- WC Docket No. 17-84

Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment -- WT Docket No. 17-79

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To: The Commission

The F.C.C. should mandate Open Access Broadband for any entity receiving public broadband infrastructure funds.

The U.S. Government attempts to be "open" and transparent. "Open" is a driving mantra across many industries and "Open Source Software" is transforming computing and networking. Yet, the access network remains closed where the entity that owns the wires is the entity that offers communication services. As private companies, incumbents should be able to operate in a manner consistent with free market competitive principals. They should be able to invest their profits as they deem appropriate. However, if a private company receives public tax payer money in any form they should expect that there are limitations to how they can spend it. Thus, any entity, public or private, that receives public tax payer monies for broadband infrastructure should be required to deploy, maintain and operate an Open Access Broadband network.

Open Access?

The term "open access" has numerous current and historical usages in the telecommunication industry. The following table highlights the different usages of "open access".

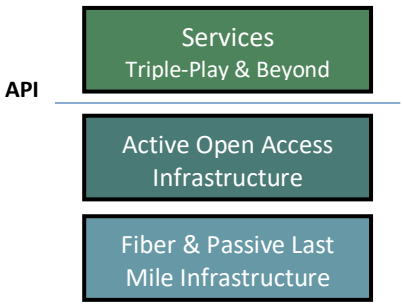
Table 1: Definition and Usages of "Open Access"

What's Called "Open Access"	***What it Really is***
Huntsville, AL and GoogleFiber	Dark fiber leasing. GoogleFiber leased the entire network
Competing High Speed Incumbents	Competition
Letting other's use your existing network	Network Unbundling, Electric Utility-Like open access
Strand-by-strand wholesaling	Dark fiber leasing
Real Open Access Broadband	Americanized version of the European Open Access Model

Source: Greywale Advisors

What is Real Open Access Broadband?

The Real Open Access Broadband (ROAB) Model is based on the 10+ year old European Open Access Model serving over 2 million homes in Sweden alone. The ROAB model leverages the strengths of this proven model with lessons learned from early U.S. open access networks. The three-layer model enables the broadband access provider to focus on one thing: Providing "Access" to all on a fair, equitable and non-discriminatory basis. The ROAB entity does not offer any services. Then, all service providers can offer services (Voice, Video, Internet and beyond) at the same time to the same residential and business customers over the same fiber. (At Layer 2 in the network stack). This is not dark fiber leasing. Residential and Commercial subscriber can select each of their services from a competitive menu of offerings. For example, In Sweden the average price for 100 Mbps Internet access is US$20 and is available from numerous Internet Service Providers. Not from the open access network owner.



Open Access Broadband
Three Layer Architecture

Source Greywale Advisors

Today's broadband market is analogous to forcing FedEx and UPS to build their own roads to deliver packages. In today's "closed" market each broadband service provider must build their own "roads". Once they build their own roads they can then determine who can use the roads. Net neutrality is a misnomer since all it does is let everyone drive in the highly congested slow lane. The owner of the road can speed along in their private high-speed lanes. They are their private roads after all. Open access broadband solves this problem since the owner of the road doesn't drive any vehicles. They merely get fairly compensated for building and maintaining the roads and let everyone drive on them in a fair, equitable and non-discriminatory basis.

Real open access broadband more efficiently allocates economic resources. With a single neutral access provider, all incumbent service providers can offer their current services at gigabit speed with QoS and security. Each incumbent could then invest the $billions saved in last mile broadband upgrades into new innovative services that benefit American consumers and businesses.

Conclusion: Public Infrastructure Funds – Public Infrastructure

Any entity, private or public, that receives tax payer monies for broadband infrastructure should be mandated to deploy real open access broadband networks. This is the fair approach for the entire broadband ecosystem. Real Open Access Broadband creates an innovation and economic development platform that will drive economics and communities for decades.